
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

RANDY BATISTE, *et al.*,

§

Plaintiffs,

§

versus

§

CIVIL ACTION NO. 1:07-CV-32

DISTRICT COURTS OF JEFFERSON
COUNTY, *et al.*,

§

Defendants.

§

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiffs Randy Batiste and Ta-Tanisha Hood, prisoners confined at the Jeferson County Correctional Facility, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing Randy Batiste from this lawsuit because his claims are repetitious of claims he is litigating in another pending case.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiffs filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

ORDER

Accordingly, plaintiffs' objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A partial judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 26th day of February, 2007.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE